IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7057 OF 2005.

The State of Maharashtra ..Applicant
V/s
Madhav Narayan Nene .. Respondent.

Mr. R.Y. Mirza, APP for the applicant.
Mr. S.R. Ganbavade for respondent
Mr. S.M. Oak for the intervener.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 4TH OCTOBER, 2006.

P.C.

. The original complainant-State has filed this application for cancellation of the order of anticipatory bail delivered by the learned District and Sessions Judge, Raigad on 15th June, 2005, in Criminal Misc. Application No. 354/2005.

2. The first respondent-accused is aged 72 years and the allegations are that offences of forgery and cheating have been committed by him. The C.R. is numbered as 62/2005 at Pen Police Station.

3. On the last occasion I had recorded the statement of the original accused that the respondent

would attend the Pen Police Station on 23rd and 29th September, 2006, so also extend all cooperation in the investigation. Accordingly, the respondent has attended the police station and this fact is not disputed by the applicant either. The order passed by the trial Court is dated 15th June, 2005 and as yet, charge-sheet is not filed Mr. Mirza states that the same would be filed expeditiously. In such circumstances, no useful purpose will be served by entertaining this application. The application is therefore, disposed of by directing that the order of anticipatory bail dated 15th June, 2005 to continue till the filing of the charge-sheet and it would be open thereafter for the respondent-accused to apply for bail. Similarly till the charge-sheet is filed the applicant to attend the Pen Police Station as and when summoned. Save and except this modification to the order‘ of the learned Sessions Judge, dated 15th June, 2005 the present application is dismissed. Needless to state that it would be open for the State so also intervener to take out appropriate proceeding in case accused defaults in compliance with the condition to attend the concerned Police Station.

(S.C.DHARMADHIKARI, J.)